

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRES G. PEEL,)	
)	
Plaintiff,)	
)	
v.)	No. 13 C 7679
)	
GMAC MORTGAGE, LLC, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Tres Peel ("Peel") has submitted a self-prepared "Plaintiffs' [sic] Complaint of Mortgage Fraud" against a group of defendants, asserting that a mortgage foreclosure action pending in the Circuit Court of Cook County is fraught with fraud.¹ But what Peel's repetitive pleading fails to recognize (among other things) is that federal courts (unlike state courts) are not courts of general jurisdiction, but are instead authorized to entertain only such lawsuits as Congress prescribes. And in that respect our Court of Appeals stated succinctly more than a quarter century ago in

Wis. Knife Works v. Nat'l Metal Crafters, 781 F.2d 1280, 1282

(7th Cir. 1986)--and its statement still remains good law today:

The first thing a federal judge should do when a complaint is filed is check to see that federal jurisdiction is properly alleged.

Here Peel's Complaint focuses on state law, providing no

¹ Peel's Complaint includes in its caption two state court lawsuit numbers, 10 CH 021942 and 12 MI 710839.

predicate for federal subject matter jurisdiction to entertain his grievances.² Although Peel does get around at page 10 of his Complaint (in its Paragraph 14) to refer to the federal Fair Debt Collection Practices Act ("Act"), he fails to recognize that the Act addresses conduct by debt collectors--entities that are engaged professionally in the collection of debt due to others. It does not apply to mortgagees that seek to collect money assertedly due to themselves. And the latter conduct is what Peel complains about (rightly or wrongly).

Accordingly this Court dismisses both the Complaint and this action sua sponte for lack of subject matter jurisdiction. Peel's accompanying In Forma Pauperis Application is therefore denied as moot.



Milton I. Shadur
Senior United States District Judge

Date: October 30, 2013

² This Court expresses no view, of course, as to the merit or lack of merit in Peel's claims.